



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/011,023	11/02/2001	Laurent Scallie	ATL-P2	7571

26793 7590 06/14/2004

LEIGHTON K. CHONG
OSTRAGER CHONG & FLAHERTY (HAWAII)
841 BISHOP STREET, SUITE 1200
HONOLULU, HI 96813

EXAMINER

JONES, SCOTT E

ART UNIT	PAPER NUMBER
----------	--------------

3713

DATE MAILED: 06/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/011,023	Applicant(s) SCALLIE, LAURENT	
	Examiner Scott E. Jones	Art Unit 3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 3713

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed on April 5, 2004 in which applicant cancels claims 1-12 and 14-15, adds claims 16-25. Claims 16-25 are pending.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 5, 2004 has been entered.

Oath/Declaration

3. A new oath or declaration is required because applicant accidentally claims benefit of U.S. Provisional Application No. 60/244,796 under 35 U.S.C. 120 rather than claim benefit under 35 U.S.C. 119(e). Although the examiner objects to the declaration, the application has been examined on the merits based upon receiving benefit under 35 U.S.C. 119(e). See MPEP §§ 602.01 and 602.02.

Drawings

4. The drawing informalities noted in the paper mailed on August 23, 2003, Paper No. 5, must be corrected. Correction can only be effected in the manner set forth in the above noted paper.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 16 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Wain (U.S. 4,335,809).

Wain discloses a system and method for both gaming and non-gaming amusement machines (satellite computers) linked via a communications network to a main control device (mission control), wherein the gaming and non-gaming amusement machines can be controlled independently or collectively to play one of a plurality of games by the main control device (mission control). Wain additionally discloses:

Regarding Claim 16:

- providing a mission control computer (30) which operates administrative programs for performing administrative functions for multiple game playing satellite computers on a network (Figure 1);
- providing a plurality of game playing satellite computers (22) connected to the network, each of which maintains a plurality of game programs and game specific command sets for controlling the play of respective ones of said plurality of game programs (Figure 1 and Column 6, lines 33-37);

Art Unit: 3713

- storing in each game specific command set of a satellite computer at least a game specific start signal for starting a respective game program on the satellite computer (Figure 1, Column 3, lines 17-29, and Claim 1);
- issuing a generic game start signal from the mission control computer to a satellite computer which is indexed to the game specific start signal of the game specific command set for a respective game program on the satellite computer in order to cause the game specific command set to be issued by the satellite computer for starting the game program (Column 3, line 17-29 and Claim 1);
- enabling the game program once started to be played on the satellite computer by local game specific command inputs of a game player to the satellite computer, (Abstract, Column 2, line 57-Column 4, line 3, Column 7, lines 13-23 and 37-45)
- whereby generic command signals can be issued by the mission control computer to control the administration of game programs played on any of the satellite computers, while enabling local game specific command inputs to be used by a game player to control playing of a game program on the satellite computer (Abstract, Column 2, line 57-Column 4, line 3, Column 7, lines 13-23 and 37-45).

Regarding Claim 21:

- a plurality of mission control computers are maintained at respective mission control sites and are connected via a network to a network server that provides an online interface to the mission control computers for remote access by players (Figures 1, 3A, 3D, Abstract, and Column 1, line 56-Column 2, line 54).

Art Unit: 3713

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 18, 19, 22, 24, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wain (U.S. 4,335,809) in view of Ehrman (U.S. 5,984,786).

Wain discloses that as discussed above regarding claims 16 and 21.

Wain additionally discloses:

Regarding Claim 25:

- issuing a generic game stop signal from the mission control computer to the satellite computer which is indexed to the game specific stop signal of the game specific command set for a respective game program on the satellite computer in order to cause the game specific command set to be issued by the satellite computer for stopping the game program (Column 3, line 17-29 and Claim 1)

Although Wain discloses game program information is stored in memory, Wain seems to lack explicitly disclosing:

Regarding Claim 18:

- providing each satellite computer with a local control program and a database of game-specific command sets for each of the game programs offered on the satellite computer, such that when a generic game start signal is issued by the mission control computer to the satellite computer, the local program of the

Art Unit: 3713

satellite computer loads the corresponding game specific command set from its database to operate the game program.

Regarding Claim 19:

- wherein each game specific command set contains game specific control codes derived by analyzing each game program and determining the configuration for at least the game specific start signal for the given game program.

Regarding Claim 22:

- wherein said online interface of said network server allows players to perform one or more activities of the group consisting of: looking up statistics for game programs they have played; seeing the status of game programs being played by other players; seeing statistics for comparison to game programs played at other mission control sites; downloading statistics for their own later use; maintaining their accounts; joining or maintaining their status with a group of players; and communicating with other players.

Regarding Claim 24:

- the game specific control codes for the game specific command set for a game program are configured based upon one of the groups of game command architecture types consisting of: keystrokes; http commands; TCP/IP commands; writing files; control API's; and serial communications protocols.

Ehrman teaches of a run-time environment for multi-player, networked games which can be used to run many different types of games. The game model includes a database which stores the objects and their properties as well as the rules of the specific game, where the rules are to be

Art Unit: 3713

executed on the objects and their properties. Ehrman and Wain are analogous art because both relate to gaming machines connected to a host computer via a network. Furthermore, Ehrman teaches:

Regarding Claim 18:

- providing each satellite computer with a local control program and a database of game-specific command sets for each of the game programs offered on the satellite computer, such that when a generic game start signal is issued by the mission control computer to the satellite computer, the local program of the satellite computer loads the corresponding game specific command set from its database to operate the game program (Abstract, Figures 1, 3A, 3B, and Column 1, line 56-Column 2, line 54).

Regarding Claim 19:

- wherein each game specific command set contains game specific control codes derived by analyzing each game program and determining the configuration for at least the game specific start signal for the given game program (Abstract, Figures 1, 3A, 3B, and Column 1, line 56-Column 2, line 54).

Regarding Claim 22:

- wherein said online interface of said network server allows players to perform one or more activities of the group consisting of: looking up statistics for game programs they have played; seeing the status of game programs being played by other players; seeing statistics for comparison to game programs played at other mission control sites; downloading statistics for their own later use; maintaining

Art Unit: 3713

their accounts; joining or maintaining their status with a group of players; and communicating with other players (Column 7, line 64-Column 8, line 34).

Regarding Claim 24:

- the game specific control codes for the game specific command set for a game program are configured based upon one of the groups of game command architecture types consisting of: keystrokes; http commands; TCP/IP commands; writing files; control API's; and serial communications protocols (Abstract, Figures 1, 3A, 3B, Column 1, line 56-Column 2, line 54, and Column 31, line 9-Column 32, line 48).

It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to incorporate the database features of Ehrman in Wain. One would be motivated to do so because this allows for a master set of rules and graphics, etc. to be stored in a database residing on a host computer and automatically updating player's gaming machines when a particular game is selected to be played via a network connection.

9. Claims 17 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wain (U.S. 4,335,809) in view of Acres (U.S. 6,431,983).

Wain discloses that as discussed above regarding claims 16 and 21. Wain seems to lack explicitly disclosing:

Regarding Claim 17:

- generating with the playing of each game program on a satellite computer one or more of the following sources of information tracking the operation of the game program and parsing the source of information for desired status information and

Art Unit: 3713

providing it to the mission control computer: game log files; dialog boxes or windows opened by the game program; messages from the Notification API; and a method used by the game program for external communications.

Regarding Claim 23:

- each satellite computer generates a log file for tracking the operation of a game program, and parses the log file for predetermined keywords indicative of desired status information and provides the status information to the mission control computer.

Acres teaches of a method and system for providing an incentive to play gaming devices connected by a network to a host computer. The system additionally tracks player activity via a smart card inserted by the player into the gaming machines. Acres and Wain are analogous art because each relates to gaming machines connected to a host computer via a network. Acres teaches:

Regarding Claim 17:

- generating with the playing of each game program on a satellite computer one or more of the following sources of information tracking the operation of the game program and parsing the source of information for desired status information and providing it to the mission control computer: game log files; dialog boxes or windows opened by the game program; messages from the Notification API; and a method used by the game program for external communications (Column 31, line 9-Column 32, line 48).

Regarding Claim 23:

Art Unit: 3713

- each satellite computer generates a log file for tracking the operation of a game program, and parses the log file for predetermined keywords indicative of desired status information and provides the status information to the mission control computer (Column 31, line 9-Column 32, line 48).

It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to incorporate the log file tracking features of Acres in Wain. One would be motivated to do so because this would enhance Wain's system to operate administrative programs, such as scheduling the transfer of new game or programming information, in an efficient manner.

10. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wain (U.S. 4,335,809) in view of Acres (U.S. 6,431,983) and further in view of Ehrman (U.S. 5,984,786).

Wain in view of Acres teaches that as discussed above regarding claims 17 and 23. Wain in view of Acres seems to lack explicitly teaching:

Regarding Claim 20:

- wherein said mission control program maintains a database of game data based upon information provided by the satellite game playing computers, and generates one or more administrative reports from the group consisting of: system-wide gaming reports; membership and player statistics; detailed statistics on specific games played by specific players; current status of the system, hardware, and software troubleshooting.

Ehrman teaches of a run-time environment for multi-player, networked games which can be used to run many different types of games. The game model includes a database which stores

Art Unit: 3713

the objects and their properties as well as the rules of the specific game, where the rules are to be executed on the objects and their properties. Ehrman, Acres, and Wain are analogous art because each relate to gaming machines connected to a host computer via a network. Furthermore, Ehrman teaches:

Regarding Claim 20:

- wherein said mission control program maintains a database of game data based upon information provided by the satellite game playing computers, and generates one or more administrative reports from the group consisting of: system-wide gaming reports; membership and player statistics; detailed statistics on specific games played by specific players; current status of the system, hardware, and software troubleshooting. (Column 7, line 64-Column 8, line 10, and Column 8, lines 22-34).

It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to incorporate the database features of Ehrman in Wain in view of Acres. One would be motivated to do so because this allows for a master set of rules and graphics, etc. to be stored in a database residing on a host computer and automatically updating player's gaming machines when a particular game is selected to be played via a network connection.

Response to Arguments

11. Applicant's arguments filed April 5, 2004 have been fully considered but they are moot in view of the cancellation of the claims.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 3713

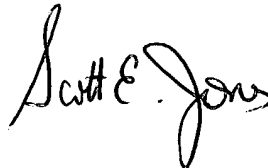
- Rowe '077 and Wiltshire et al. '602 disclose gaming systems that operate over a network having mission control (main game control machine) and satellite computers (game computers).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott E. Jones whose telephone number is (703) 308-7133. The examiner can normally be reached on Monday - Thursday, 6:30 A.M. - 5:00 P.M..

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Scott E. Jones
Examiner
Art Unit 3713



sej